

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

v.

**VINCENT HENDERSON
a/k/a “TONTO”**

*
*
*
*
*
*
*
*
*
*
*
*
*

CRIMINAL DOCKET NO. 09-020

SECTION: “J”

FACTUAL BASIS

The above-named defendant **VINCENT HENDERSON, a/k/a “TONTO,”** has agreed to plead guilty as charged to the seven-count Indictment in this case. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegations against the defendant, **VINCENT HENDERSON, a/k/a “TONTO,” (“HENDERSON”)**:

In the summer of 2008, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) operated a storefront operation in New Orleans, specifically in the area of Earhart Avenue and Carrollton Avenue, which is located in the Eastern District of Louisiana. At that location, **HENDERSON** sold controlled substances on seven separate occasions to an undercover ATF agent or an undercover Louisiana State Police Trooper. Each distribution was audibly and visually recorded.

On August 12, 2008, SA Townsend and Trooper Flauss purchased crack cocaine from **HENDERSON** four different times. At 12:48 p.m., **HENDERSON** arrived at the storefront and asked the undercover officers if he could get them any narcotics. They replied that they wanted

to purchase crack cocaine. At that time, **HENDERSON** spit three (3) small white rocks wrapped in a clear plastic out of his mouth and into his hand. **HENDERSON** then placed the crack cocaine onto the counter top. The undercover officers gave **HENDERSON** \$60 for the crack cocaine and **HENDERSON** then left the store. The Crime Laboratory analyzed the controlled substance, which tested positive for cocaine base and had a net weight of 0.51 grams.

At 3:36 p.m., **HENDERSON** returned to the storefront and gave a bag of crack cocaine to Agent Townsend. Agent Townsend weighed the crack cocaine and paid **HENDERSON** \$200 for it. **HENDERSON** left the storefront after the distribution. The controlled substance was analyzed and tested positive for cocaine base and had a net weight of 2.32 grams.

At 3:55, **HENDERSON** returned to the store and sold additional crack cocaine for \$180. The controlled substance was analyzed and tested positive for cocaine base and had a net weight of 2.32 grams.

HENDERSON returned a fourth time to the store at 4:19 p.m., and sold Agent Townsend additional crack cocaine for \$200. The controlled substance was analyzed and tested positive for cocaine base and had a net weight of 2.32 grams.

ELIZABETH PRIVITERA, #27041 (DATE)
Assistant United States Attorney

STEPHEN H. SHAPIRO, #21076 (DATE)
Attorney for Defendant

VINCENT HENDERSON (DATE)
Defendant